

# **EXHIBIT 12**



Return to **Election 2020: Setting the Record Straight**

November 26, 2020

## **STATEMENT FROM DOMINION ON SIDNEY POWELL'S CHARGES**

While Dominion Voting Systems is not named as a defendant, on Wednesday, November 25, 2020, Sidney Powell released what appears to be a very rough draft of a lawsuit against the Republican governor and secretary of state of Georgia alleging a bizarre election fraud conspiracy that—were it possible—would necessarily require the collaboration of thousands of participants, including state officeholders, bipartisan local elections officials, thousands of volunteer Election Day poll watchers in thousands of locations across the state of Georgia, federal and state government technology testing agencies, private elections service companies, and independent third-party auditors. This quite simply did not occur.

Dominion Voting Systems is the gold standard for transparent and accountable voting equipment. The allegations included in the draft complaint are baseless, senseless, physically impossible, and unsupported by any evidence whatsoever. We stand with the state and local elected officials and bipartisan election volunteers that this suit maliciously maligns.

In Powell's error-filled document, she repeats a number of baseless allegations about Dominion Voting Systems, which she has made in public since Election Day.

The allegations about DVS most relevant to the election outcome in Georgia are that votes tallied on a Dominion vote tabulator were somehow manipulated on a statewide basis to elevate the count in

favor of the Democratic presidential candidate. It is important to understand that this is not possible—not on a machine-by-machine basis, not by alleged hacking, not by manipulating software, and not by imagined ways of "sending" votes to overseas locations. But even if it *were* possible, it would have been discovered in the statewide handcount of votes.

Dominion's systems are secure as certified by the U.S. Election Assistance Commission (EAC). In fact, *all* voting systems must provide assurance that they work accurately and reliably as intended under federal U.S. EAC and state certification and testing requirements. Further, Dominion source code is verified and secure. Third-party test labs chosen by the bipartisan U.S. EAC and accredited by the National Institute of Standards and Technology (NIST) perform complete source code reviews on every tabulation system that is federally certified in the U.S.

Every vote from a Dominion device in Georgia is documented on an auditable paper trail and creates a verifiable paper ballot available for hand-counting. In fact, the Georgia handcounts, independent audits, and machine tests have all *repeatedly* affirmed that the machine counts were accurate.

In addition, Powell makes a number of allegations that go beyond Dominion's role in Georgia's elections—which is only to provide the ballot tabulation systems. For the record, again, Dominion does not develop voter-registration systems, poll-books, signature verification software, or provide vote-by-mail printing. These parts of the voting process are instead supported by other companies and controlled by the state and local officials who run elections in hundreds of thousands of voting places across the country.

These assertions in the Powell filing are non-sensical and unsupported by any presentation of evidence. However, to respond to some of her specific assertions about Dominion:

- ☑ Dominion was not "founded by oligarchs and dictators." It was founded in Toronto, Canada, and it is now a proud nonpartisan American company. Dominion has attested to its ownership—*under penalty of perjury*—to local, state, and federal agencies,

including the Committee on Foreign Investment in the United States, which includes all U.S. national security agencies.

- ✔ Dominion is not, and never has been, owned by Smartmatic. Neither has Smartmatic ever been a subsidiary of Dominion, as the complaint asserts. Dominion is an entirely separate company—they do not collaborate in any way and have no affiliate relationships or financial ties. Dominion does not use Smartmatic. These are all facts verifiable in the public record as well as in regulatory and legal filings.
- ✔ Dominion has no ties to the Venezuelan government, nor any other foreign government, including China and Iran. Dominion has never participated in any elections in Venezuela and has no connection or relationship with the now deceased former Venezuelan dictator Hugo Chavez. Other companies *have* serviced elections in Venezuela, *but Dominion is not one of them.*
- ✔ Dominion does not have operations in Germany including an "Office of the General Counsel."
- ✔ Dominion Voting Systems are in fact auditable—and are audited and tested regularly by multiple government agencies and independent third parties. All electronic devices used in the U.S. must be designed to be audited.
- ✔ Dominion's system does in fact include a paper ballot backup to verify results. In fact, thousands of elections officials in Georgia just completed the largest vote recount in American history using the paper ballots produced by Dominion devices.
- ✔ Dominion's system cannot be manipulated by a technician in the way Powell alleges. This has been confirmed by the government agencies that have certified Dominion equipment.
- ✔ Despite repeated counts and audits, there is no evidence of any kind that any voting system deleted, lost, or changed votes in Georgia, or in any of the other 28 states that use Dominion devices. Certifications and audits have instead shown the accuracy, transparency, and reliability of Dominion's systems.
- ✔ The federal government agency that oversees U.S. election security verified that there is no evidence that this election was in any way compromised. In fact, they have called it the most secure election in American history.

- ✓ Servers that run Dominion software are located in local election offices, and data never leaves the control of local election officials.
- ✓ There were no "glitches" with Dominion's voting systems, and no unauthorized or last-minute software updates occurred.
- ✓ There were no "data breaches" of Dominion software by anyone, let alone rogue foreign actors.
- ✓ Human errors did occur in some counties but were resolved quickly by county officials before the canvass process.
- ✓ Votes are not processed outside the United States. Votes are counted and reported by county and state election officials—not by Dominion, or any other election technology company.
- ✓ Election safeguards—from testing and certification of voting systems to canvassing and auditing—prevent malicious actors from tampering with results.

Sidney Powell's wild and reckless allegations are not only demonstrably false, they have led to stalking, harassment, and death threats to Dominion employees. This criminal activity has been duly reported to the appropriate law enforcement agencies, and we intend to hold Ms. Powell, and those aiding and abetting her fraudulent actions, accountable for any harm that may occur as a result.

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Founded in 2003, Dominion Voting Systems is a leading industry supplier of election technology across the U.S., Canada and globally.

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